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EXAMINER

FRENEL, V

ART UNIT	PAPER NUMBER
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2778

DATE MAILED: 10/03/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/071,189

Applicant(s)
Maddalozzo Jr. John

Examiner
Vanel Frenel

Group Art Unit
2778



☒ Responsive to communication(s) filed on Jul 6, 2000.

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-21 and 25-39 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-21 and 25-39 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2778

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-21 and 25-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouelette et al (5,581,243) in view of Stephan et al (5,748,185).

As to claims 1, 8, and 14-15 Ouelette et al disclose a method in a portable computer having a display screen for supporting increased portable computer compactness, the method comprising displaying data within the display screen (col.10; lines 34-55); partitioning the display screen into a touch-sensitive input area and a display area (Fig.1 and col.4; lines 46-67 and col. 35-67); detecting if a user's hands are positioned at the touch-sensitive input area (col.4; lines 61-67 and col.5; lines 1-41). However, Ouelette et al do not disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area.

Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area,

Art Unit: 2778

such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

As to claims 2 and 9, Ouelette et al. discloses the method further comprising detecting if the user's hands are no longer positioned at the touch-sensitive input area; and concealing the touch-sensitive pad from view, in response to detecting that the user's hands are no longer positioned at the touch-sensitive input area (col.4; lines 61-67 and col.5; lines 1-41).

As to claims 3 and 10, Stephan et al. disclose the method wherein graphically displaying a touch-sensitive pad (Fig.12) comprises graphically displaying a touch -sensitive keyboard at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch sensitive keyboard to enter data to be simultaneously displayed in the display area (col.4; lines 61-67 and col.5; lines 1-41).

As to claims 4-6 and 11-14 Stephan et al disclose the method wherein graphically displaying a touch-sensitive keyboard (Fig.12) comprises graphically displaying a transparent touch -sensitive keyboard at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the transparent touch -sensitive keyboard to enter data to be displayed in the display area (col.4; lines 61-67 and col.5; lines 1-41).

Art Unit: 2778

As to claim 7, Ouelette et al disclose the method further comprising analyzing physical characteristics associated with the user while the user is entering a particular sequence of data utilizing the touch-sensitive keyboard; and in response to analyzing the physical characteristics, configuring a sensitivity level for the touch-sensitive keyboard (Fig.1 and col.4; lines 46-67).

In addition, the claims 16-21 have substantially the same limitations of claim 8 above . Therefore, they are analyzed as previously discussed in claims 1-21 and 25-39 above.

As to claims 25, 30 and 35 Ouelette et al disclose a method of representing a virtual keypad in an electronic system, the electronic having a display screen (col.10; lines 34-55), the method comprises in response to the determining step, displaying the virtual keypad on the display screen proximal the one or more portions (see, figure 2, col. 5, lines 48-67; col. 6, lines 7-57). But, Ouelette do not specifically teach everything as the step of determining that a user is touch-sensitive one or more portions of the display screen. However, Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

Art Unit: 2778

In addition, the claims 26-27 and 31-32 have substantially the same limitations of claim 8 above. Therefore, they are analyzed as previously discussed in claim 25 above.

As to claims 28, 33 and 38 Ouelette et al disclose everything except the step of touch-sensitive one or more portions of said display screen. However, Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

As to claims 29, 34 and 39 Ouelette et al disclose everything except the step of analyzing characteristics of user input obtained while the user is entering a particular sequence of data utilizing said touch sensitive of touch-sensitive keyboard. However, Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Art Unit: 2778

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

As to claims 36 and 37 Ouelette et al disclose a program wherein the sensing instructions comprises program code for detecting that the user is no longer touching the display screen (col. 10, lines 34-55); the display instructions comprise program code for concealing the virtual keypad from view, in response to the detection (Fig.1 and cols. 7 and 8; lines 65-67 and lines 1-58; do show steps of program, thus, does exist program code).

Response to Arguments

3. Applicant's arguments filed on 07/06/00 regarding claims 1-21 and 25-39 have been fully considered but they are not persuasive.

On page 18, Applicant argues that Ouelette and Stephan do not disclose or suggest all the features that are recited in claim 1 . However, Ouellette in combination with Stephan teach all the limitations in the last Office Action . Thus; a method in a portable computer having a display screen for supporting increased portable computer compactness, the method comprising displaying data within the display screen (col.10; lines 34-55); partitioning the display screen into a touch-sensitive input area and a display area (Fig.1 and col.4; lines 46-67 and col. 35-67); detecting if a user's hands are positioned at the touch-sensitive input area (col.4; lines 61-67 and col.5; lines 1-41).

However, Ouelette et al do not disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area , in response to detecting a user's hands positioned at the touch-sensitive

Art Unit: 2778

area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area. Stephan et al. disclose graphically displaying a touch-sensitive pad at the touch-sensitive input area, in response to detecting a user's hands positioned at the touch-sensitive area, such that a user may utilize the touch-sensitive pad to enter data to be displayed in the display area. (col.5; lines 10-62 and col.11; lines 28-67 and col.12; lines 1-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of Ouelette et al as taught by Stephan et al to improve a user's ability to interact with a graphical user interface (GUI) on a computer.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Art Unit: 2778

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is (703) 305-4952. The examiner can be reached on Monday through Thursday from 6:30 to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shalwala Bippin, can be reached on (703)-305-4938.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to Group receptionist whose telephone number (703) 305-3900.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Vanel Frenel
Vanel Frenel
September 29, 2000

Vijay Shankar
VIJAY SHANKAR
PRIMARY EXAMINER